
PRELIMINARY DRAFT
No. 3356

PREPARED BY
LEGISLATIVE SERVICES AGENCY
2004 GENERAL ASSEMBLY

DIGEST

Citations Affected: None (noncode).

Synopsis: Ballot language for constitutional amendments. Establishes the ballot language for the submission of three amendments to the Constitution of the State of Indiana concerning: (1) the general assembly's election of a governor and the temporary exercise of the governor's duties and powers when the offices of the governor and lieutenant governor are vacant; (2) uniform start dates for terms for county constitutional officers; and (3) the exemption of certain property from taxation.

Effective: Upon passage.



A BILL FOR AN ACT concerning elections.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. [EFFECTIVE UPON PASSAGE] (a) The amendment
2 to Article 5, Section 10 of the Constitution of the State of Indiana
3 agreed to by the One Hundred Twelfth General Assembly
4 (P.L.188-2002) and the One Hundred Thirteenth General Assembly
5 (P.L.280-2003) shall be submitted to the electors of the state at the
6 2004 general election in the manner provided for the submission of
7 constitutional amendments under IC 3.

8 (b) Under Article 16, Section 1 of the Constitution of the State
9 of Indiana, which requires the general assembly to submit
10 constitutional amendments to the electors at the next general
11 election after the general assembly agrees to the amendment
12 referred to it by the last previously elected general assembly, and
13 in accordance with IC 3-10-3, the general assembly prescribes the
14 form in which the public question concerning the ratification of
15 this state constitutional amendment must appear on the 2004
16 general election ballot as follows:

17 "PUBLIC QUESTION #1

18 Shall Article 5, Section 10 of the Constitution of the State of
19 Indiana be amended to provide as follows? If the office of governor
20 and the office of lieutenant governor are both vacant:

21 (1) when either house of the General Assembly is unable to
22 assemble a quorum because of vacancies in membership, the
23 General Assembly shall convene to elect a governor not later
24 than forty-eight hours after a sufficient number of vacancies
25 are filled to provide a quorum of the members in each house;
26 and

27 (2) another available state official, according to the following
28 descending order, is temporarily authorized to discharge the
29 governor's duties and powers:

30 (A) The speaker of the house of representatives.

31 (B) The president pro tempore of the senate.

32 (C) The treasurer of state.



(D) The auditor of state.

(E) The secretary of state.

(F) The state superintendent of public instruction."

(c) This SECTION expires January 1, 2005.

SECTION 2. [EFFECTIVE UPON PASSAGE] (a) The amendment to Article 6, Section 2 of the Constitution of the State of Indiana agreed to by the One Hundred Twelfth General Assembly (P.L.187-2002) and the One Hundred Thirteenth General Assembly (P.L.279-2003) shall be submitted to the electors of the state at the 2004 general election in the manner provided for the submission of constitutional amendments under IC 3.

(b) Under Article 16, Section 1 of the Constitution of the State of Indiana, which requires the general assembly to submit constitutional amendments to the electors at the next general election after the general assembly agrees to the amendment referred to it by the last previously elected general assembly, and in accordance with IC 3-10-3, the general assembly prescribes the form in which the public question concerning the ratification of this state constitutional amendment must appear on the 2004 general election ballot as follows:

"PUBLIC QUESTION #2

Shall Article 6, Section 2 of the Constitution of the State of Indiana be amended to allow the General Assembly to establish a uniform date for the beginning of the terms of the county offices of clerk of the circuit court, auditor, recorder, treasurer, sheriff, coroner, and surveyor?"

(c) This SECTION expires January 1, 2005.

SECTION 3. [EFFECTIVE UPON PASSAGE] (a) The amendment to Article 10, Section 1 of the Constitution of the State of Indiana agreed to by the One Hundred Twelfth General Assembly (P.L.189-2002) and the One Hundred Thirteenth General Assembly (P.L.278-2003) shall be submitted to the electors of the state at the 2004 general election in the manner provided for the submission of constitutional amendments under IC 3.

(b) Under Article 16, Section 1 of the Constitution of the State of Indiana, which requires the general assembly to submit constitutional amendments to the electors at the next general election after the general assembly agrees to the amendment referred to it by the last previously elected general assembly, and in accordance with IC 3-10-3, the general assembly prescribes the form in which the public question concerning the ratification of this state constitutional amendment must appear on the 2004 general election ballot as follows:

"PUBLIC QUESTION #3

Shall Article 10, Section 1 of the Constitution of the State of Indiana be amended to allow the General Assembly to exempt any



- 1 **property of the following types from property taxation?**
2 **(1) Inventory.**
3 **(2) Tangible personal property used in the production of**
4 **income.**
5 **(3) Tangible real property used as a primary residence by an:**
6 **(A) owner;**
7 **(B) individual who is buying the tangible real property**
8 **under a contract; or**
9 **(C) individual who has a beneficial interest in the owner of**
10 **the tangible real property.".**
11 **(c) This SECTION expires January 1, 2005.**
12 **SECTION 4. An emergency is declared for this act.**

